रजिस्ट्री सं. डी.एल.-33004 / 99 REGISTERED NO. DL-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II — खण्ड 1
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं॰ 53] नई दिल्ली, बुधवार, दिसम्बर 29, 1999 / पौष 8, 1921
No. 53] NEW DELHI, WEDNESDAY, DECEMBER 29, 1999 / PAUSA 8, 1921

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

GOVT. OF IND

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 29th December, 1999/Pausa 8, 1921 (Saka)

The following Act of Parliament received the assent of the President on the 29th December, 1999 and is hereby published for general information:—

THE CENTRAL INDUSTRIAL SECURITY FORCE (AMENDMENT AND VALIDATION) ACT, 1999

No. 40 OF 1999

[29*th December*, 1999.]

An Act further to amend the Central Industrial Security Force Act, 1968, and to validate certain revision petitions disposed of under the rules made under the said Act.

BE it enacted by Parliament in the Fiftieth Year of the Republic of India as follows:—

1. This Act may be called the Central Industrial Security Force (Amendment and Validation) Act, 1999. Short title.

50 of 1968. **2.** In the Central Industrial Security Force Act, 1968 (hereinafter referred to as the principal Act), for the long title, the following long title shall be substituted, namely:— Amendment of long title.

"An Act to provide for the constitution and regulation of an armed force of the Union for the better protection and security of industrial undertakings owned by the Central Government, certain other industrial undertakings, employees of all such undertakings and to provide technical consultancy services to industrial establishments in the private sector and for matters connected therewith.".

Amendment of section 2.

3. In section 2 of the principal Act, in sub-section (*1*), after clause (*c*), the following clause shall be inserted, namely:—

'(*ca*) "industrial establishment" means an industrial undertaking or a company as defined under section 3 of the Companies Act, 1956 or a firm registered under section 59 of the Indian Partnership Act, 1932 which is engaged in any industry, or in any trade, business or service;'. 1 of 1956 9 of 1932.

Amendment of section 3.

4. In section 3 of the principal Act, in sub-section (*1*), the words "and to perform such other duties as may be entrusted to it by the Central Government" shall be inserted at the end.

Amendment of section 8.

5. In section 8 of the principal Act,—

(*i*) in clause (*i*), after the word "remove", the words ", order for compulsory retirement of" shall be inserted;

(*ii*) in clause (*ii*), after sub-clause (*c*), the following sub-clauses shall be inserted, namely:—

"(*d*) withholding of increment of pay with or without cumulative effect;

(*e*) withholding of promotion;

(*f*) censure.".

Amendment of section 9

6. In section 9 of the principal Act,—

(*i*) in sub-section (*1*), for the words, brackets and figure "subject to the provisions of sub-section (*3*)", the words, brackets, figures and letters "subject to the provisions of sub-section (*2A*), sub-section (*2B*) and sub-section (*3*)" shall be substituted;

(*ii*) after sub-section (*2*), the following sub-sections shall be inserted, namely:—

"(*2A*) Any enrolled member of the Force aggrieved by an order passed in appeal under sub-section (*1*) may, within a period of six months from the date on which the order is communicated to him, prefer a revision petition against the order to such authority as may be prescribed and in disposing of the revision petition, the said authority shall follow such procedure as may be prescribed.

(*2B*) The authority, as may be prescribed for the purpose of this sub-section, on a revision petition preferred by an aggrieved enrolled member of the Force or *suo moto*, may call for, within a prescribed period, the records of any proceeding under section 8 or sub-section (*2*) or sub-section (*2A*) and such authority may, after making inquiry in the prescribed manner, and subject to the provisions of this Act, pass such order thereon as it thinks fit.";

(*iii*) in sub-section (*3*), for the words, figures and brackets "under section 8 or under sub-section (*2*)", the words, figures, brackets and letters "under section 8, sub-section (*2*), sub-section (*2A*) or sub-section (*2B*)" shall be substituted.

Amendment of section 10

7. In section 10 of the principal Act, after clause (*e*), the following clauses shall be inserted, namely:—

"(*f*) to provide technical consultancy services relating to security of any private sector industrial establishments under section 14A;

(*g*) to protect and safeguard the organisations owned or funded by the Government and the employees of such organisations as may be entrusted to him by the Central Government;

(*h*) any other duty which may be entrusted to him by the Central Government from time to time.".

Insertion of new section 14A.

8. After section 14 of the principal Act, the following section shall be inserted, namely:—

Technical Consultancy Service to industrial establishments.

"14A. (*1*) Subject to any general directions which may be issued by the Central Government, it shall be lawful for the Director-General, on a request received from the Managing Director of an industrial establishment in the private sector or any other person authorised by him in this behalf, to direct the members of the Force to provide technical consultancy services relating to security, to such industrial establishments in such manner and on payment of such fee as may be prescribed.

(*2*) The fee received under sub-section (*1*) shall be credited to the Consolidated Fund of India.

Explanation.—For the purposes of this section, the expression "Managing Director", in relation to an industrial establishment, means the person (whether called general manager, manager, chief executive officer or a partner of a firm or by any other name) who exercises control over the affairs of the establishment.".

9. In section 22 of the principal Act, in sub-section (*2*),—

(*i*) after clause (ggg), the following clauses shall be inserted, namely:—

"(*gggg*) prescribing authority under sub-section (*2A*) of section 9 and the procedure to be followed by such authority in disposing of the revision petition;

(*ggggg*) prescribing authority under sub-section (*2B*) of section 9, the period within which such authority may call for the records and the manner in which such authority may make inquiry;";

(*ii*) in clause (*h*), the word "and" occurring at the end shall be omitted;

(*iii*) after clause (*h*), the following clause shall be inserted, namely:—

"(*hh*) the manner in which and the fee on payment of which the technical consultancy services shall be provided under sub-section (*1*) of section 14A; and".

Validation of the disposal of certain revision petitions

10. Notwithstanding any judgment, decree or order of any court to the contrary, rule 49 of the Central Industrial Security Force Rules, 1969 published with the notification of the Government of India in the Ministry of Home Affairs number S.O. 4632, dated the 12th November, 1969 shall be deemed to be, and to have always been, made under the principal Act as amended by this Act as if the principal Act as so amended had been in force at all material times before the commencement of this Act and accordingly the disposal of any revision petition under the said rule 49 before the commencement of this Act or any order made or purporting to have been made or any action or thing taken or done in or under such petition shall not be deemed to be invalid or ever to have become invalid merely on the ground that the Central Government had no power under the principal Act to make the said rule 49.

RAGHBIR SINGH,
Secy. to the Govt. of India.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS (PLU), MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI, 2000.

MGIP(PLU)MRND—3107GI—6-1-2000.

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